

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BHAMBRA LAKHBIR, IRVINDER S.
DHANDA, et al.,

No. C 09-6092 SI

Plaintiffs,

v.

**ORDER TO SHOW CAUSE
RE FAILURE TO APPEAR AND
FAILURE TO SERVE SUMMONS
AND COMPLAINT**

STATE OF CALIFORNIA, et al.,

Defendants.


This matter came on for a regularly-scheduled case management conference on Friday, April 9, 2010. No one appeared. Review of the file suggests that the summons and complaint have not yet been served on defendant.

Accordingly, plaintiffs are hereby **ORDERED to show cause, in writing filed with the Court no later than April 23, 2010** why they failed to appear and whether they intend to continue with this action. Plaintiffs are cautioned that if they do not appear and/or do not comply with Court orders, this case may be prejudiced and/or dismissed for failure to prosecute.

Additionally, plaintiffs are reminded that Rule 4(m) of the Federal Rules of Civil Procedure, a copy of which is attached to this Order, provides that if service of the summons and complaint is not made on the defendant within 120 days of filing the complaint, the court "shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time" This action was filed on December 30, 2009; 120 days thereafter will be April 29, 2010. **Plaintiffs are therefore required to serve defendants no later than April 29, 2010.** If they do not do so, this action will be dismissed without prejudice in accordance with Rule 4(m).

IT IS SO ORDERED.

Dated: April 13, 2010



SUSAN ILLSTON
United States District Judge